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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS RENEWED MOTION
IN LIMINE NO.1**

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its Renewed Motion in Limine No. 1 (“Waymo’s Motion”). Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

Document	Portions to Be Filed Under Seal	Designating Party
Portions of Waymo’s Motion	Portions highlighted in green	Waymo
Exhibit A to Waymo’s Motion	Entire Document	Waymo
Exhibit B to Waymo’s Motion	Entire Document	Waymo
Exhibit E to Waymo’s Motion	Entire Document	Waymo
Exhibit F to Waymo’s Motion	Entire Document	Waymo
Exhibit G to Waymo’s Motion	Entire Document	Waymo
Exhibit H to Waymo’s Motion	Entire Document	Waymo
Exhibit I to Waymo’s Motion	Entire Document	Waymo
Exhibit J to Waymo’s Motion	Entire Document	Waymo
Exhibit K to Waymo’s Motion	Entire Document	Waymo
Exhibit L to Waymo’s Motion	Entire Document	Waymo
Exhibit M to Waymo’s Motion	Entire Document	Waymo
Exhibit N to Waymo’s Motion	Entire Document	Waymo
Exhibit O to Waymo’s Motion	Entire Document	Waymo
Exhibit P to Waymo’s Motion	Entire Document	Waymo
Exhibit Q to Waymo’s Motion	Entire Document	Waymo
Exhibit R to Waymo’s Motion	Entire Document	Waymo
Exhibit S to Waymo’s Motion	Entire Document	Waymo
Exhibit T to Waymo’s Motion	Entire Document	Waymo
Exhibit U to Waymo’s Motion	Entire Document	Waymo
Exhibit V to Waymo’s Motion	Entire Document	Waymo
Exhibit W to Waymo’s Motion	Entire Document	Waymo
Uber’s Opposition to Waymo’s Renewed Motion in Limine 1 (“Uber’s Opposition”)	Portions highlighted in green	Waymo
Exhibit 28 to Uber’s Opposition	Entire document	Uber
Exhibit 34 to Uber’s Opposition	Entire document	Waymo
Exhibit 35 to Uber’s Opposition	Entire document	Uber
Exhibit 36 to Uber’s Opposition	Entire document	Waymo
Exhibit 38 to Uber’s Opposition	Entire document	Waymo
Exhibit 48 to Uber’s Opposition	Highlighted in red	Waymo
Exhibit 49 to Uber’s Opposition	Highlighted in red	Waymo
Exhibit 51 to Uber’s Opposition	Highlighted in red	Waymo
Exhibit 55 to Uber’s Opposition	Highlighted in red	Waymo
Exhibit 56 to Uber’s Opposition	Highlighted in red	Waymo
Exhibit 57 to Uber’s Opposition	Highlighted in red	Waymo

1 **I. LEGAL STANDARD**

2 Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or
3 portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under
4 the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored
5 to seek sealing only of sealable material.” *Id.*

6 **II. UBER’S CONFIDENTIAL INFORMATION**

7 Waymo seeks to seal portions of Exhibits identified above only because Defendants have
8 designated the information confidential and/or highly confidential. Declaration of Lindsay Cooper
9 (“Cooper Dec.”), ¶ 3. Waymo expects Defendants to file one or more declarations in accordance with
10 the Local Rules. *Id.*

11 **III. THE COURT SHOULD SEAL WAYMO’S CONFIDENTIAL INFORMATION**

12 The Court should seal the portions of Waymo’s Motion (portions highlighted in green) and
13 exhibits thereto and portions of Uber’s Opposition (portions highlighted in green) and exhibits thereto
14 as identified by Waymo in the table above. Waymo seeks to file this information under seal because it
15 discloses Waymo’s confidential business information. *See* Cooper Dec., ¶ 4. Confidential business
16 information that, if released, may “harm a litigant’s competitive standing” also merits sealing. *See*
17 *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598-99 (1978). Waymo seeks to seal confidential
18 business information that fits squarely within these categories. Cooper Dec. ¶ 4. Waymo has narrowly
19 tailored its requests to only information meriting sealing. *Id.* The disclosure of Waymo’s confidential
20 business information would harm Waymo. Cooper Dec. ¶ 4. Moreover, the scope of information that
21 Waymo is seeking to seal is consistent with other administrative motions to seal that have already
22 been granted by the Court in this case. (*See* Dkt. 681.) Thus, the Court should grant Waymo’s
23 administrative motion to seal.
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1 **IV. CONCLUSION**

2 In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the
3 above listed documents accompany this Administrative Motion. For the foregoing reasons,
4 Waymo respectfully requests that the Court grant Waymo's Administrative Motion.

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6 DATED: September 13, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
LLP

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8 By /s/ Charles Verhoeven

Charles Verhoeven

9 Attorneys for WAYMO LLC
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